



## DEPARTMENT OF LABOR

### Office of Workers' Compensation Programs

#### Advisory Board on Toxic Substances and Worker Health

**AGENCY:** Office of Workers' Compensation Programs.

**ACTION:** Announcement of meeting of the Advisory Board on Toxic Substances and Worker Health (Advisory Board) for the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

**SUMMARY:** The Advisory Board will meet November 30 – December 1, 2022, in Las Vegas, Nevada, near the Nevada Test Site covered facility. Submission of comments, requests to speak, materials for the record, and requests for special accommodations: You must submit comments, materials, requests to speak at the Advisory Board meeting, and requests for accommodations by November 23, 2022, identified by the Advisory Board name and the meeting date of November 30 - December 1, 2022, by any of the following methods:

- *Electronically:* Send to: [EnergyAdvisoryBoard@dol.gov](mailto:EnergyAdvisoryBoard@dol.gov) (specify in the email subject line, for example “Request to Speak: Advisory Board on Toxic Substances and Worker Health”).
- *Mail, express delivery, hand delivery, messenger, or courier service:* Submit one copy to the following address: U.S. Department of Labor, Office of Workers' Compensation Programs, Advisory Board on Toxic Substances and Worker Health, Room S-3522, 200 Constitution Ave. NW, Washington, DC 20210.

**INSTRUCTIONS:** Your submissions must include the Agency name (OWCP), the committee name (the Advisory Board), and the meeting date (November 30 – December 1, 2022). Due to security-related procedures, receipt of submissions by regular mail may experience significant

delays. For additional information about submissions, see the SUPPLEMENTARY INFORMATION section of this notice.

OWCP will make available publicly, without change, any comments, requests to speak, and speaker presentations, including any personal information that you provide. Therefore, OWCP cautions interested parties against submitting personal information such as Social Security numbers and birthdates.

**ADDRESSES:** The Advisory Board will meet at the JW Marriott Las Vegas Resort & Spa, 221 N Rampart Blvd., Las Vegas, Nevada, 89145. Telephone: 877-869-8777.

**FOR FURTHER INFORMATION CONTACT:** For press inquiries: Ms. Laura McGinnis, Office of Public Affairs, U.S. Department of Labor, Room S-1028, 200 Constitution Ave. NW, Washington, DC 20210; telephone (202) 693-4672; email [McGinnis.Laura@DOL.GOV](mailto:McGinnis.Laura@DOL.GOV).

**SUPPLEMENTARY INFORMATION:** The Advisory Board will meet: Tuesday, November 29, 2022, for a fact-finding site visit to the Nevada Test Site, accompanied by the Designated Federal Officer; Wednesday, November 30, 2022, from 9:00 am to 5:30 pm Pacific time; and Thursday, December 1, 2022, from 8:30 am to 11:00 am Pacific time in Las Vegas, Nevada. Some Advisory Board members may attend the meeting by teleconference. The teleconference number and other details for participating remotely will be posted on the Advisory Board's website, <http://www.dol.gov/owcp/energy/regs/compliance/AdvisoryBoard.htm>, 72 hours prior to the commencement of the first meeting date. Advisory Board meetings are open to the public.

Public comment session: Wednesday, November 30, 2022, from 4:45 pm to 5:30 pm Pacific time. Please note that the public comment session ends at the time indicated or following the last call for comments, whichever is earlier. Members of the public who wish to provide public comments should plan to either be at the meeting location or call in to the public comment session at the start time listed.

The Advisory Board is mandated by Section 3687 of EEOICPA. The Secretary of Labor established the Board under this authority and Executive Order 13699 (June 26, 2015). The purpose of the Advisory Board is to advise the Secretary with respect to: 1) the Site Exposure Matrices (SEM) of the Department of Labor; 2) medical guidance for claims examiners for claims with the EEOICPA program, with respect to the weighing of the medical evidence of claimants; 3) evidentiary requirements for claims under Part B of EEOICPA related to lung disease; 4) the work of industrial hygienists and staff physicians and consulting physicians of the Department of Labor and reports of such hygienists and physicians to ensure quality, objectivity, and consistency; 5) the claims adjudication process generally, including review of procedure manual changes prior to incorporation into the manual and claims for medical benefits; and 6) such other matters as the Secretary considers appropriate. The Advisory Board sunsets on December 19, 2024.

The Advisory Board operates in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2) and its implementing regulations (41 CFR part 102-3).

Agenda: The tentative agenda for the Advisory Board meeting includes:

- New member training on FACA, EEOICPA, and ethics, and administrative sessions;
- Review and follow-up on Advisory Board's previous recommendations, data requests, and action items;
- Discussion of resources requested;
- Review responses to Board questions;
- Planning for large case review;
- Review of Board tasks, structure and work agenda;
- Consideration of any new issues; and
- Public comments.

OWCP transcribes and prepares detailed minutes of Advisory Board meetings. OWCP posts the transcripts and minutes on the Advisory Board webpage, <http://www.dol.gov/owcp/energy/regs/compliance/AdvisoryBoard.htm>, along with written comments, speaker presentations, and other materials submitted to the Advisory Board or presented at Advisory Board meetings.

### **Public Participation, Submissions and Access to Public Record**

Advisory Board meetings: All Advisory Board meetings are open to the public. Information on how to participate in the meeting remotely will be posted on the Advisory Board's website.

Submission of comments: You may submit comments using one of the methods listed in the SUMMARY section. Your submission must include the Agency name (OWCP) and date for this Advisory Board meeting (November 30 – December 1, 2022). OWCP will post your comments on the Advisory Board website and provide your submissions to Advisory Board members.

Because of security-related procedures, receipt of submissions by regular mail may experience significant delays.

Requests to speak and speaker presentations: If you want to address the Advisory Board at the meeting you must submit a request to speak, as well as any written or electronic presentation, by November 23, 2022, using one of the methods listed in the SUMMARY section. Your request may include:

- The amount of time requested to speak;
- The interest you represent (e.g., business, organization, affiliation), if any; and
- A brief outline of the presentation.

PowerPoint presentations and other electronic materials must be compatible with PowerPoint 2010 and other Microsoft Office 2010 formats. The Advisory Board Chair may grant requests to address the Board as time and circumstances permit.

Electronic copies of this Federal Register notice are available at <http://www.regulations.gov>.

This notice, as well as news releases and other relevant information, are also available on the Advisory Board's web page at

<http://www.dol.gov/owcp/energy/regs/compliance/AdvisoryBoard.htm>.

For further information regarding this meeting, you may contact Ryan Jansen, Designated Federal Officer, at [jansen.ryan@dol.gov](mailto:jansen.ryan@dol.gov), or Carrie Rhoads, Alternate Designated Federal Officer, at [rhoads.carrie@dol.gov](mailto:rhoads.carrie@dol.gov), U.S. Department of Labor, 200 Constitution Avenue, NW., Suite S-3524, Washington, DC 20210, telephone (202) 343-5580.

This is not a toll-free number.

Signed at Washington, DC, this 7<sup>th</sup> day of November, 2022.

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**Christopher Godfrey,**  
Director, Office of Workers' Compensation Programs.  
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